**THE HONOURABLE SRI JUSTICE V. ESWARAIAH**

**WRIT PETITION NO. 5355 of 2006**

**DATED: 18-03-2006**

**Between:**

The Chirala Municipal United Labour

Children Welfare Society (Registration

No.89 of 2006), rep.by its President …Petitioner

and

Chirala Municipality,

Chirala, rep.by its Municipal Commissioner,

Chirala village & Mandal

Prakasam District … Respondent

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**WRIT PETITION NO. 5355 of 2006**

**ORDER:**

Petitioner filed the present writ petition seeking a writ of Mandamus directing the respondent municipality to provide a portion of the sanitation work within the municipal limits of Chirala Municipality to the petitioner society as contemplated in G.O.Ms.No.30, dated 18-01-2000 by holding the action of the respondent in calling for the tender notification in ROC.No.105/05/F-1, dated 01-03-2006 as illegal and

arbitrary.

Heard both sides.

It is the case of the petitioner that the petitioner is a registered society formed by retired Public Health Workers and their children. It is stated that as per the orders of the Government in G.O.Ms.No.30, dated 18-01-2000 a portion of the sanitation work to the societies formed by the sanitation workers union without participating in the tenders has to be entrusted. A perusal of the said G.O. goes to show that the Government directed all the municipalities to entrust a portion of the sanitation work to such societies formed by the sanitation workers union without participating in the tenders with a view to improve the efficiency in the sanitation and with other moralities as they have experienced and having sufficient knowledge in the sanitation work. The respondent issued the tender notification to have a modern garbage cleaning facilities in Chirala Municipality as there is need for 40 steer decorators, eligible registered societies are invited to file their tenders on 15-03-2006 and the tenders will be opened on 16-03-2006, but the same has been postponed from 15-03-2006 to 18-03-2006 and tenders should be opened on 23-03-2006. Petitioner questions the said action of the respondents in calling for the tender without earmarking the portion of the said area in favour of the society.

I am of the opinion that after issuance of the tender notifications only, the petitioners have approached this court for implementation of orders of the Government. It is not possible to issue any direction to entrust the portion of the work to the petitioner society after calling for the tender notification. This year, the petitioner may also participate in the tender process, but in so far as the next year is concerned, the respondent is directed to consider the request of the petitioner society for entrustment of a portion of the sanitation work well before the issuance of any such notification.

Writ petition is accordingly disposed of. No costs.

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V. ESWARAIAH, J.

Dated: 18-03-2006

**Note**:

Issue C.C. within three days.

(B/O)

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